UNITED
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General Assembly

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A/CN.4/455
10 January 1994

ORIGINAL: ENGLISH

INTERNATIONAL LAW COMMISSION
Forty-sixth session
Geneva, 2 May-22 July 1994

PROVISIONAL AGENDA FOR THE FORTY-SIXTH SESSION*

To be convened at the United Nations Office at Geneva,
on Monday, 2 May 1994, at 3 p.m.

1. Filling of casual vacancies.

2. Organization of work of the session.

3. State responsibility.

4. Draft Code of Crimes against the Peace and Security of Mankind.

5. The law of the non-navigational uses of international watercourses.

6. International liability for injurious consequences arising out of acts not prohibited by international law.

7. Programme, procedures and working methods of the Commission and its documentation.

8. Cooperation with other bodies.

9. Date and place of the forty-seventh session.

10. Other business.

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* See paragraphs 421 to 424 of the report of the International Law Commission on the work of its forty-fifth session (Official Records of the General Assembly, Forty-eighth Session, Supplement No. 10 (A/48/10)), and paragraphs 3, 6, 7 and 8 of General Assembly resolution 48/31.

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Item 1 of the provisional agenda

FILLING OF CASUAL VACANCIES IN THE COMMISSION

Note by the Secretariat

1. Following the election on 10 November 1993 of Mr. Abdul G. Koroma and Mr. Jiuyong Shi as Judges of the International Court of Justice, two seats have become vacant on the International Law Commission.

2. In this case, article 11 of the Commission's statute is applicable. It prescribes:

> "In the case of a casual vacancy, the Commission itself shall fill the vacancy having due regard to the provisions contained in articles 2 and 8 of this statute."

Article 2 reads:

> "1. The Commission shall consist of thirty-four members who shall be persons of recognized competence in international law.
>
> "2. No two members of the Commission shall be nationals of the same State.
>
> "3. In case of dual nationality a candidate shall be deemed to be a national of the State in which he ordinarily exercises civil and political rights."

Article 8 reads:

> "At the election the electors shall bear in mind that the persons to be elected to the Commission should individually possess the qualifications required and that in the Commission as a whole representation of the main forms of civilization and of the principle legal systems of the world should be assured."

3. The terms of the two members to be elected by the Commission will expire at the end of 1996.

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